

House File 649

H-1613

1 Amend the amendment, H-1594, to House File 649 as
2 follows:

3 1. Page 10, after line 14 by inserting:
4 <____. Page 75, before line 30 by inserting:

5 <DIVISION

6 BISPHENOL A PROHIBITION

7 Sec. _____. NEW SECTION. 135.181 Bisphenol A
8 prohibition.

9 1. As used in this section, unless the context
10 otherwise requires:

11 a. "*Infant pacifier*" means a device designed to be
12 bitten or sucked by an infant for the sole purpose of
13 soothing or providing comfort to the infant, including
14 soothing discomfort caused by teething.

15 b. "*Reusable beverage container*" means a baby bottle
16 or spill-proof container primarily intended by the
17 manufacturer for use by a child three years of age or
18 younger.

19 1A. For purposes of this section, "*reusable beverage*
20 *container*" includes disposable baby bottle liners
21 designed to hold liquids in a baby bottle.

22 2. Beginning January 1, 2013, a person shall
23 not manufacture, sell, or distribute in commerce in
24 this state any infant pacifier or reusable beverage
25 container containing bisphenol A. A manufacturer or
26 wholesaler who sells or offers for sale in this state a
27 reusable beverage container that is intended for retail
28 sale shall do all of the following:

29 a. Ensure that the container is conspicuously
30 labeled as not containing bisphenol A.

31 b. Provide the retailer with affirmation that the
32 container does not contain bisphenol A.

33 3. A manufacturer shall use the least toxic
34 alternative when replacing bisphenol A in accordance
35 with this section.

36 4. In complying with this section, a manufacturer
37 shall not replace bisphenol A with a substance rated
38 by the United States environmental protection agency
39 as a class A, B, or C carcinogen or a substance listed
40 on the agency's list of chemicals evaluated for
41 carcinogenic potential as known or likely carcinogens,
42 known to be human carcinogens, or likely to be human
43 carcinogens.

44 5. In complying with this section, a manufacturer
45 shall not replace bisphenol A with a reproductive
46 toxicant that has been identified by the United States
47 environmental protection agency as causing birth
48 defects, reproductive harm, or developmental harm.

49 6. A person who violates this section is subject
50 to a civil penalty of five hundred dollars for each

1 violation.

2 Sec. _____. EFFECTIVE DATE. This division of this
3 Act takes effect January 1, 2013.>>

4 2. By renumbering as necessary.

KAJTAZOVIC of Black Hawk